

Message Text

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C O N F I D E N T I A L LONDON 10202

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FOR L/OA

E.O. 11652: GDS

TAGS: PBOR, UR

SUBJECT: LAW OF THE SEA: CONVERSATION WITH SOV REPS
AT IMCO LEGAL COMMITTEE MEETING RE MARINE
POLLUTION CONFERENCE

1. US REP TO IMCO LEGAL COMITE DISCUSSED SOVIET ATTITUDES RE JURISDICTIONAL ISSUES IN CONTEXT OF UPCOMING IMCO MARINE POLLUTION CONF WITH MAZLOV, A. L. MAKOVSKY (MERCHANE MARINE MINISTRY) AND E. P. SVIRIDOV (TREATY AND LEGAL DEPT, FONMIN).

2. US REP EXPLAINED TO MAZLOV AND COLLEAGUES (MAKOVSKY WILL ATTEND POLLUTION CONF) CONCERN OF US DEL AT SUMMER SEABED COMITE IN GENEVA OVER ARBITRARY POSITION TAKEN BY SOV DEL ON NECESSITY FOR FLAG STATE JURISDICTION IN MARINE POLLUTION MATTERS. FURTHER EMPHASIZED OUR FEAR THAT IF SOVS CONTINUE PRESS THIS POSITION AT LONDON CONF (TO WHICH WE UNDERSTAND SOVS PLAN SEND NO LOS EXPERTS) THEY WILL FIND THEMSELVES ABSOLUTELY ALONE ON JURISDICTIONAL ISSUE. US DEL WILL BE WORKING WITH CANADIANS AND OTHERS TO FIND COMPROMISE FOR DEALING WITH ISSUE OF COASTAL STATE JURISDICTION, EITHER BY
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NEUTRALLY WORDED FORMULA OR EVEN BY EXPLICIT DEFERRAL OF

ISSUE PENDING RESULTS OF LOS CONF.

3. IT OUR HOPE SOVS COULD ABANDON -- OR AT LEAST MODERATE -- APPARENTLY INTRACTABLE ATTITUDE ON FLAG STATE CONTROL EVIDENCED IN GENEVA THIS SUMMER AND CONSIDER SERIOUSLY WORKING WITH US TOWARD COMPROMISE ALONG ABOVE LINES. IN THIS CONNECTION, WE BELIEVE THIS PROBLEM SHOULD BE EXAMINED CLOSELY BY LOS EXPERTS IN MOSCOW AND

THAT SOME OF THESE EXPERTS SHOULD BE INCLUDED ON SOV DEL FOR LONDON CONF.

4. NOTING KHLESTOV'S HEAVY DUTIES AT THIS TIME, US REP REQUESTED MAZLOV UNDERTAKE TO HAVE THIS MATTER BROUGHT TO KHLESTOV'S ATTENTION AT EARLY DATE AND INDICATED IT POSSIBLE AMB. STEVENSON WOULD TRY TO ARRANGE MEETING WITH KHLESTOV BEFORE POLLUTION CONF. IN ANY EVENT, POINT WAS MADE THAT US DEL AT LONDON CONF. WOULD BE SEEKING COOPERATION OF SOV DEL ON JURISDICTIONAL ISSUES AND THAT WE HOPED SOVS WOULD HAVE INSTRUCTIONS WHICH TOOK INTO ACCOUNT IMPLICATIONS THIS ISSUE FOR LOS NEGOTIATIONS AND PERMITTED THEM TO WORK WITH US.

5. MAZLOV TOOK DETAILED NOTES ON US REP'S REMARKS, SINCE AS HE SAID, THIS OBVIOUSLY IMPORTANT MATTER AND HE WANTED TO ENSURE MOSCOW WOULD UNDERSTAND OUR POINTS CLEARLY. (NOTES PROBABLY ALSO FOR BENEFIT OF MAKOVSKY WHO SPEAKS NO ENGLISH.)

6. COMMENT: US REP'S FEELING IS THAT MAZLOV WAS GENUINELY IMPRESSED BY POINTS AND BY FACT HE WAS CONTACTED AND WILL MAKE SINCERE EFFORT CONVEY THEM TO RESPONSIBLE AUTHORITY -- THIS IN SPITE MAZLOV'S SELF-DESCRIPTION AS A "BUSINESSMAN" INVOLVED NEITHER IN LOS OR IMCO POLLUTION CONF. IT REASONABLE TO ASSUME KHLESTOV WILL LEARN OF OUR CONCERNS BOTH FROM MAZLOV, AND FROM SVIRIDOV WHO SPEAKS ENGLISH, WORKS FOR KHLESTOV, AND ASKED CERTAIN QUESTIONS OF US REP FOLLOWING CONVERSATIONS. FOLLOW-UP APPROACH IN MOSCOW IN NEAR FUTURE MIGHT HAVE SUBSTANTIAL EFFECT ON SOV POSITION PARTICULARLY
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LARLY IF IT COULD BE COUPLED WITH PROPOSAL OF STEVENSON-KHLESTOV MEETING WHICH SEEMED TO INTEREST MAZLOV AND SVIRIDOV WHEN MENTIONED HERE.

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